

1 UNITED STATES DISTRICT COURT

2 Northern District of California

3

4 HOWARD DIXON,

No. C 11-05217 MEJ

5 Plaintiff,

**SECOND ORDER TO
CONSENT/DECLINE**

6 v.

7 SAN FRANCISCO POLICE DEPARTMENT,

8 Defendant.

9 Pending before the Court is Plaintiff's in forma pauperis application. On October 31, 2011,
10 the Court ordered Plaintiff to consent to magistrate judge jurisdiction or request reassignment to a
11 United States District Judge for trial by November 15, 2011. Dkt. No. 4. Plaintiff has failed to
12 respond.

13 This civil case was randomly assigned to the undersigned magistrate judge for all
14 purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district
15 court are designated to conduct any and all proceedings in a civil case, including trial and entry of
16 final judgment, upon the consent of the parties. An appeal from a judgment entered by a magistrate
17 judge may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same
18 manner as an appeal from any other judgment of a district court.

19 You have the right to have your case assigned to a United States District Judge for trial and
20 disposition. Accordingly, Plaintiff shall inform the Court, by way of the enclosed form, whether he
21 consents to magistrate judge jurisdiction or requests reassignment to a United States District Judge
22 for trial. The consent/declination form shall be filed by November 28, 2011. As this is the second
23 such order, Plaintiff should be mindful that sanctions may be imposed for failure to comply, including
24 and up to dismissal of this case.

25 **IT IS SO ORDERED.**

26

27 Dated: November 18, 2011

28


Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

HOWARD DIXON,

Plaintiff,

1

SAN FRANCISCO POLICE DEPARTMENT et al,

Defendant.

Case Number: CV11-05217 MEJ

CERTIFICATE OF SERVICE

10 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on November 18, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located
in the Clerk's office.

15 Howard Dixon
16 2363 Grande Vista Place
Oakland, CA 94621

17 Dated: November 18, 2011

Richard W. Wiekling, Clerk
By: Brenda Tolbert, Deputy Clerk